

License Fees Frequently Asked Questions

Why is the Department of Health raising fees?

- By law a profession's fees must cover the costs to administer the profession.
- Some fees were increased in the past two years. Before that, fees had not been raised for many years. A number of fees were actually reduced in 2005.
- Recent legislation has increased costs to administer programs.
 - 2007 – The Blue Ribbon Commission bill (ESSB5930) added a fee to access some resources on the University of Washington online library.
 - 2008 – 4SHB1103 required fingerprint-based federal criminal background checks for out-of-state applicants. This adds to the disciplinary workload. The bill called for additional rulemaking activities and more national databank checks.
- Discipline drives 85 percent of the costs. Disciplinary activity has increased dramatically in recent years.
 - Some professions' disciplinary actions have risen 83 percent since 2001.
 - Authorized investigations increased by over 30 percent in the same time period.
 - Court cases added requirements for how evidence is collected. Courts raised the level of proof necessary to move forward with discipline.
- The department had to replace seven outdated licensing systems it had been using to license all professions. They were consolidated into one system to meet current and future demands.

Has the department ever lowered fees and when?

- Yes. In 2005 fees for some professions were reduced because we had more revenue than the legislature authorized us to spend. Unfortunately, soon after the fees were lowered, discipline cases exceeded projections and new legislation created new requirements.

What drives disciplinary costs?

Fees must cover investigation, legal, and other administrative costs.

- Investigations and legal analysis cost staff time and money. Boards and commissions must also expend time to review and make decisions. This adds up to about \$9 million per year.
- Money must be spent in many cases to pay outside experts to determine whether a standard of care has been met. This adds up to about \$500,000 per year.
- Fees must pay for Attorney General advice and prosecution. This amounts to about \$1.5 million per year.
- Fees must also cover records collection and reproduction, staff attorneys, health law judges, and hearing room rentals.

Why are some fees higher than others?

There are many factors that influence the fees differently in each profession, including:

- A profession's current biennium budget and expenditure trends.
- The number of licensees in a profession. If there are few practitioners in the profession and high costs to regulate, fees will be higher.
- Fees for some professions were lowered too far in 2005. There was no cushion for unanticipated legislative mandates that followed.
 - Some professions began quickly depleting their revenues. Some profession fees were raised again in 2006.
 - State law requires professions to be self-supporting. Even with the proposed fee increases, it may still take more than a year for all professions to be self-supporting.
- The amount of discipline for a profession and the complexity of its cases.

What is included in the fee?

- The basic fee pays to support the regulation of the profession, including:
 - Setting standards for the profession.
 - Credentialing.
 - Disciplinary activities.
- Some of the proposed application and renewal fees also include surcharges required under state law, including:
 - Up to \$25 for the University of Washington (UW) online journal access fee.
 - The nurse's \$5 pass-through fee for the Washington Center for Nursing.
 - Up to \$35 for the Washington Physicians Health Program.

What is the UW fee and why do I have to pay it?

- The legislature recently made this fee a requirement. It was also recommended by the Governor's Blue Ribbon Commission on Health Care Costs and Access. The law requires that certain professions pay the fee to receive online access to a set of health-related journals and other publications through the University of Washington Health Sciences Library.
- The department was directed to include up to \$25 in the license fees for these professions to pay for this access. The department is required to obtain the fees and transfer the funds to the university. The university is responsible for providing the access. These professions include:
 - Acupuncturists
 - Chiropractors
 - Clinical Social Workers
 - Massage Therapists
 - Mental Health Counselors
 - Naturopathic Physicians

- Optometrists
 - Osteopathic Physicians, Osteopathic Physician Assistants
 - Physicians, Physician Assistants
 - Podiatrists
 - Psychologists
 - Registered Nurses
- The legislation did not make access to the online library and the fee optional. The access and fee are required for the listed professions.

How are fees approved?

- In the fall of 2007, Washington citizens passed Initiative 960 (I-960). I-960 requires state agencies that charge fees to project expenses and revenues for a 10-year period. It also requires legislative approval for fees.
- The 2008 legislature approved fees up to a certain amount. All proposed fees are within the legislatively approved levels. Some are less than the approved maximum.
- Raising fees also requires a public rule-making process to allow public and practitioner input.
- We expect the rule-making process to conclude in June with new fees in place by August 1, 2008.

Shouldn't more licensees in a profession mean marginally lower fees?

- Generally, yes. While there are more practitioners to share the costs, there may also be more costs to share. Some professions receive more complaints, require more investigations, and have higher rates of disciplinary activity.

Does the department consider a practitioner's income when determining the amount of the fee?

- The department does not have this option. We are required to consider two factors when setting fees. These two factors are revenue and expense. The department must determine if the fees charged will cover the profession's expenses.

How many and what professions will be bankrupt if fees are not raised this year?

- Fifteen professions are spending more than they are receiving in revenue. This cannot continue. The law requires that each profession be self-supporting. These professions include Dental, Recreational Therapist, Denturist, Massage Therapist, Radiologic Technologist, Nursing Assistant, Mental Health Counselor, Social Worker, Chemical Dependency Professional, Healthcare Assistant, Registered Counselor, Respiratory Therapist, and Chiropractor.

What happens if fees aren't raised?

- Patient safety is threatened. The department would not be able to:
 - Investigate complaints about health care professionals.
 - Resolve complaints in a timely manner.
 - Implement legally required fingerprint-based federal background and other national databank checks.
- A growing backlog of cases slows decisions. In some cases, incompetent or unethical health providers could continue to practice. Failure to do the required background checks could allow health professionals with criminal histories to practice in the state.
- The legislature has also required us to begin regulating a number of new professions. Without fees for these professions, the department could not provide licenses and make sure these new professions are properly regulated. These new professions include:
 - 2007 legislation
 - Athletic Trainers
 - Expanded Dental Function Dental Auxiliaries
 - Dental Assistants
 - Physical Therapy Assistants
 - 2008 legislation
 - Radiologic Assistant
 - Registered Counselor Professions
 - Certified adviser
 - Certified counselor
 - Agency affiliated counselor
 - Licensed social work associate – advanced
 - Licensed social work associate – independent clinical
 - Licensed mental health counselor associate
 - Licensed marriage and family therapist associate
 - Certified chemical dependency professional trainee

Can I pay my fees online?

- Not yet, but we are working on this option. We recently started accepting payments made by Visa, MasterCard, or debit if paid in person at our offices in Tumwater.

Where can I get more information on fees?

More information is available on the Department of Health's fee information Web page (<http://www.doh.wa.gov/hsqa/FeeInformation/FeeInfoDefault.htm>).. You can also check your profession's individual Web page for fee information.